

1 Your Name: Conor Brian Fitzpatrick

2 Address: 531 Union Avenue

3 Peekskill, NY 10566

4 Phone No.: 914-402-5399

5 E-mail: conorfitz@optimum.net

6 Pro Se Defendant

FILED
DEC 13 2023

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 Division [check one]: San Francisco Oakland San Jose Eureka

12 JOHN PRUTSMAN, ET. AL.

) Case Number: 3:23-cv-01131-VC

14 _____

) ANSWER

15 Plaintiff,

) Check only if you include a Counterclaim or
Crossclaim:

16 vs.

) AND COUNTERCLAIM

17 NONSTOP ADMINISTRATION AND IN

) AND CROSSCLAIM

18 Defendant. Third-party plaintiff

) DEMAND FOR JURY TRIAL [check one]

19 V.

) Yes No

20 John Doe and Conor Brian Fitzpatrick

) Judge: Hon. _____

21 Third-party Defendant.

23 1. Responses to the Claims in the Complaint

24 Each paragraph of the Complaint should be numbered. Read each paragraph carefully.

- 25 • If everything in the paragraph is **false**, do not write that paragraph number anywhere. The first paragraph of this Answer denies everything that is not specifically admitted.
- 26 • If everything in the paragraph is **true**, write that paragraph number in Section B, below.
- 27 • If you **don't know** whether the paragraph is true or not, write that paragraph number in Section C, below.
- 28 • If the paragraph is **partly true and partly false**, write that paragraph number in Section D below and explain which specific parts of the paragraph are true.
- Use more pages if needed.

ANSWER

CASE NUMBER 3:23-cv-01131-VC

1 A. Defendant **denies** each and every allegation in the Complaint except those
2 specifically admitted in this Answer.

3 B. Defendant **admits** all of the allegations in the following paragraphs:

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6 C. Defendant **does not know** or have enough information to form a belief as to whether
7 the allegations in the following paragraphs are true:

8 1,2,3,4,5,6,7,8,9,10,11,13,14, 15,16,17,18,19,20,21,22,23,24,25,26,27,29,30,31,32,33,34,35,36,37,

9 38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69

10 70,71,72

11 D. Defendant **admits only parts** of each paragraph below, and denies or does not know
12 enough to say whether the rest of the paragraph is true. *[Use more pages if needed]:*

13 Paragraph 28: I admit only that On July 13, 2023, Fitzpatrick pleaded guilty to one count of
14 conspiracy to commit access device fraud- 18 U.S.C. 1029(b)(1) and 3559(g)(1); solicitation for the purposes of offering
15 access devices- 18 U.S.C. 1029(a)(6), and possession of child pornography-18 U.S.C. 2252(a)(4)(B) and (b)(2) and
16 agreed to make restitution to each of his victims in an amount no less than \$3,000 and forfeit \$698,714.

17 Paragraph : I admit only that _____
18 _____
19 _____
20 _____

21 Paragraph : I admit only that _____
22 _____
23 _____
24 _____

25 Paragraph : I admit only that _____
26 _____
27 _____
28 _____

ANSWER

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2. Affirmative Defenses

State any factual or legal reasons that the Plaintiff cannot win all or part of this case. Provide enough detail so the Plaintiff and Court will understand your defense. Look at the instruction sheet of this form for examples. If you are not sure about your defenses, make an appointment at the Legal Help Center. Use more pages if needed.

Affirmative Defense 1. I currently do not have access to any records or devices. I cannot at this time disclose anything that I have learned regarding any discovery in my criminal case. I am not allowed to use the internet to search for anything related to computer hacking crimes, and I cannot contact anyone regarding these crimes described. At this time, I am unable to defend the the counts listed. If I am able to review relevant information it is my belief that I do not know

John Doe, or personally reviewed any data or source code

Affirmative Defense 3.

Affirmative Defense 4.

Affirmative Defense 5.

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1 *If you need more space to write your Answer or claims, use this page.*

2 I am currently awaiting sentencing in the Eastern District of Virginia and I think I will probably
3 be sentenced to a custodial term in prison. I have no assets, not employed. I cannot afford an
4 attorney to assist with this and I will be moving forward pro-se to the best of my ability.

5 I will have upwards of \$700,000 in fines and restitution moving forward. If there is a favorable
6 plaintiff verdict, there will no money, assets or anything encumberable.

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Demand for Relief

WHEREFORE, Defendant demands:

- That the Court enter judgment dismissing the Complaint;
- That Defendant be awarded costs incurred;
- That Defendant be awarded such other and further relief as the Court may deem just;
- If you filed a counterclaim or crossclaim, explain what you would like the Court to do:*

Demand for Jury Trial

Check one box to show whether you would like a jury to decide your case, if allowed.

Yes
 No

If more than one Defendant is included in this Answer, each must sign and date below. Attach another page if you need to.

Respectfully submitted,

Date: 12/20/23

Signature: Conor Fitzpatrick

Printed name: **Conor Brian Fitzpatrick**

Pro Se Defendant

ANSWER

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IJDC TEMPLATE - Rev. 2017

Justice Diversity
CENTER

OF THE BAR ASSOCIATION OF SAN FRANCISCO

CERTIFICATE OF SERVICE

You must serve each document you file by sending or delivering to the opposing side. Complete this form, and include it with the Answer that you file and serve.

1. Case name [write Plaintiff's name on the first line, and your name on the second line]:JOHN PRUTSMAN, ET. AL. V. NONSTOP ADMINISTRATION AND INSURANCE SERVICES.
Plaintiff

JOHN DOE and CONOR BRIAN FITZPATRICK, a/k/a "Pompompurin"

Defender, Third-party plaintiff

V.

Third-party defendant

2. Case number: Civil Action No. 3:23-cv-01131-VC**3. Document served: Response to Claims in the Complaint****4. How was the Answer served? [check one]**

Placed in U.S. Mail
 Hand-delivered
 Sent for delivery (e.g., FedEx, UPS)
 Sent by fax (if the other party has agreed to accept service by fax)

5. To whom was the Answer sent? [For each person you sent the document, write their full name and contact information used.]Clerk Of Court, US District Court 450 Golden Gate Ave
Box 36060 San Francisco, CA1. Ernest F Koschineg, Jill Fertel, Cipriani & Werner PC, 450
Sentry PaSeekway, Suite 200, Blue Bell, PA 194224 Gary M. Klinger, Esq. John Nelson, Esq. MILBERG
COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 221 W
Monroe Street, Suite 2100 Chicago, Illinois 60606;2. Roger G. Perkins, CLARK HILL LLP, 600 West Broadway,
Suite 500, San Diego, CA 921015. M. Anderson Beny Gregory Haroutunian CLAYEO C. ARNOLD,
A PROFESSIONAL CORP 865 Howe Avenue Sacramento, CA3. Scott Edward Cole, Esq. Laura Van Note Esq. COLE & VAN
NOTE 555 12th Street Suite 2100 Oakland, California 946076. Brittany Resch Raina Cholleen Borelli TURKE & STRAUSS
LLP 613 Williamson Street, Suite 201 Madison, WI 537037. Dylan J. Gould (Pro Hac Vice forthcoming) MARKOVITS,
STOCK & DEMARCO, LLC 119 E Court Street, Suite 530
Cincinnati, OH 45202**6. When was the Answer served?** December 11, 2023**7. Who served the Answer? [Whoever puts it into the mail, faxes, delivers or sends for delivery should sign, and print their name and address. You can do this yourself.]**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature:



Name:

Mark Fitzpatrick

Address:

531 Union Ave

Peekskill NY, 10566